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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Marc Burrell et al.)
) Art Group Unit: 3737
SERIAL NUMBER: 10/691,314)
) Examiner: S. J. Shaw
FILED: October 22, 2003)
) Confirmation No. 6398
FOR: METHOD, APPARATUS AND)
) PRODUCT FOR ACQUIRING CARDIAC)
) IMAGES)

Commissioner of Patents
P.O. BOX 1450
Alexandria, VA 22313-1450

LETTER

Applicant hereby brings to the Examiner's attention the following co-pending applications having potentially related subject matter:

By such disclosure, Applicant does not waive and has no intent to waive any statutory right to maintain the secrecy of the above-referenced applications.

(121321 / GEM-0017) Application U.S.S.N. 10/063,064, "Method, System and Computer Product for Cardiac Interventional Procedure Planning", filed March 15, 2002 by Darin R. Okerlund et al.

(125974 / GEM-0053) Application U.S.S.N. 10/065,595, "Method and Apparatus for Medical Intervention Procedure Planning", filed November 1, 2002 by Darin R. Okerlund et al.

(133164 / GEM-0074) Application U.S.S.N. 10/249,815, "Cardiac CT System and Method for Planning and Treatment of Biventricular Pacing Using Epicardial Lead", filed May 9, 2003 by Darin R. Okerlund et al.

(133253 / GEM-0075) Application U.S.S.N. 10/249,783, "Cardiac CT System and Method for Planning Left Atrial Appendage Isolation", filed May 7, 2003 by Darin R. Okerlund et al.

(133254 / GEM-0078) Application U.S.S.N. 10/249,812, "Cardiac CT System and Method for Planning Atrial Fibrillation Intervention", filed May 9, 2003 by Darin R. Okerlund et al.

(138162 / GEM-0079) Application U.S.S.N. 10/605,903, "Cardiac Imaging System and Method for Quantification of Desynchrony of Ventricles for Biventricular Pacing", filed November 5, 2003 by Shankara Bonthu Reedy et al.

(144213 / GEM-0099) Application U.S.S.N. 10/707,993, "Method, Apparatus and Product for Acquiring Cardiac Images", filed January 30, 2004 by Marc Burrell et al.

(144726 / GEM-0102) Application U.S.S.N. 10/708,564, "Cardiac Imaging System and Method for Planning Minimally Invasive Direct Coronary Artery Bypass Surgery", filed March 11, 2004 by Darin R. Okerlund et al.

(158982 / GEM-0163) Application U.S.S.N. 10/710,923, "Method and Apparatus for Medical Intervention Procedure Planning and Location and Navigation of Intervention Tool", filed August 12, 2004 by Melissa A. Vass et al.

(156765 / GEM-0161) Application U.S.S.N. 10/964,428, "Method and Apparatus for Registering 3D Models of Anatomical Regions of a Heart and a Tracking System with Projection Images of an Interventional Fluoroscopic System", filed October 13, 2004 by Régis Vaillant et al.

(156764 / GEM-0162) Application U.S.S.N. 10/964,429, "Method and Apparatus for Registering 3D Models of Anatomical Regions with Projection Images of the Same", filed October 13, 2004 by Régis Vaillant et al.

Applicant believes there is no fee associate with this Letter. However, if there are any additional charges with respect to this Letter or otherwise, please charge them to Deposit Account No. 07-0845 maintained by Applicant's attorneys.

Respectfully submitted,

CANTOR COLBURN LLP

By

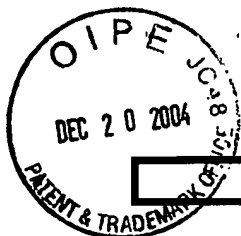


Sean F. Sullivan

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INFORMATION DISCLOSURE STATEMENT

ATTY. DOCKET NUMBER 138161 SERIAL NUMBER 10/691,314 FILED 10/22/2003
FIRST INVENTOR: Burrell et al. TITLE Method, Apparatus and Product
for Acquiring Cardiac Images
EXAMINER NYA ART UNIT 3762

1. ☒ Applicant submits herewith a copy of (a) attached form PTO-1449, which lists all patents, publications, applications, or other information submitted for consideration by the Office; (b) a legible copy of each document required by 37 C.F.R. §1.98(b)(2).
2. ☐ Applicant herein apprises the Patent Office of references cited in a parent U.S. application from which this application obtains the benefit of an earlier filing date under 35 U.S.C. §120. The Serial Number of the parent application is U.S. Application _____ filed _____ and entitled _____.
The publications cited therein are listed on attached Form PTO-1449. In accordance with 37 C.F.R. §1.98(d) copies of the listed publications are not required. ☐ Additional parent patent applications are listed on an attached sheet.
3. ☐ In accordance with 37 C.F.R. §1.98(a)(3), Applicant hereby certifies that for each reference not in English (check at least one box below):
☐ A copy of a translation of one or more non-English document, or portion thereof, is provided herewith;
☐ A concise explanation is (check at least one box below):
☐ provided in the accompanying foreign or international search report; ☐ incorporated into the specification; and/or ☐ provided herewith.

37 C.F.R. §1.97(b)(1), (b)(2) – WITHIN 3 MONTHS OF FILING OR ENTRY IN NATIONAL STAGE

4. ☐ Since this Information Disclosure Statement is being filed within three months of the filing date of the subject application or within three months of the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in an international application, no fee or certification under 37 C.F.R. §1.97(e) is required.

37 C.F.R. §1.97(b)(3), (b)(4) – PRIOR TO MAILING OF FIRST OFFICE ACTION OR FIRST ACTION AFTER REQUEST FOR CONTINUED EXAMINATION

5. ☐ Since this Information Disclosure Statement is being filed before the mailing date of the first Office Action on the merits, or before the mailing of a first Office action after the filing of a request for continued examination under 37 C.F.R. §1.114, no fee or certification under 37 C.F.R. §1.97(e) is required.

37 C.F.R. §1.97(c) – AFTER FIRST ACTION, BEFORE FINAL ACTION OR ALLOWANCE

6. ☐ Since this Information Disclosure Statement is being filed outside of the period provided for in 37 C.F.R. §1.97(b), but before the mailing date of a Final Rejection or Notice of Allowance, this submission is being accompanied by (one of the following boxes must be checked):
 - a. ☐ the fee required under 37 C.F.R. §1.97(c)(2) and specified in 37 C.F.R. §1.17(p).
 - b. ☐ the statement specified in 37 C.F.R. §1.97(e) (Box 8 or 9 must be checked).

37 C.F.R. §1.97(d) – AFTER FINAL REJECTION OR ALLOWANCE

7. ☐ Since this Information Disclosure Statement is being filed after the period specified in 37 C.F.R. §1.97(c), but on or before payment of the issue fee and is accompanied by both the statement specified in 37 C.F.R. §1.97(e) and the fee set forth in 37 C.F.R. §1.17(p). (Box 8 or 9 must be checked.)
8. ☒ In accordance with 37 C.F.R. §1.97(e)(1), Applicant's attorney certifies that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. ☐ The foreign or international search report(s) is/are enclosed.
9. ☐ In accordance with 37 C.F.R. §1.97(e)(2), Applicant's attorney certifies that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of the information disclosure statement.
10. ☒ In the event the Commissioner of Patents deems that any additional fee is required under 37 C.F.R. §§ 1.16 or 1.17 in connection with this application, Applicant's attorneys authorize that such fee be charged to Deposit Account No. 07-0845.

11. Consideration of this Information Disclosure Statement is respectfully requested.

Name:	<u>Sean F. Sullivan</u>	Registration Number	<u>38,328</u>
Signature		Date	<u>12/16/2004</u>

CERTIFICATE OF MAILING OR TRANSMISSION: I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or [] facsimile transmitted to the Patent and Trademark Office to Facsimile No. _____ on the date shown below.

Name	<u>Jessica L. Walsh</u>		
Signature		Date	<u>12/16/2004</u>

FORM PTO 1449
(REV 2-32)

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

File No.
138161

Serial No.
10/691,314

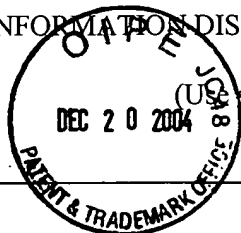
INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Applicant(s):
Burrell et al.

Filing Date:
10/22/2003

Group:
3737

(US several sheets if necessary)



U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	1	5,391,199	02/21/1995	Ben-Haim	607	122	07/20/1993
	2	5,738,093	*4/14/1998	Ben-Haim	128	653.1	02/01/1996
	3	6,289,115 B1	09/11/2001	Takeo	382	130	02/12/1999
	4	6,289,239 B1	09/11/2001	Panescu et al.	600	523	03/29/2000
	5	6,389,104 B1	05/14/2002	Bani-Hashemi et al.	378	98.12	06/30/2000
	6	6,468,265 B1	10/22/2002	Evans et al.	606	1	11/09/1999
	7	6,650,927 B1	11/18/2003	Keidar	600	424	08/18/2000

U.S. PATENT APPLICATION PUBLICATIONS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	8	2003/0097219 A1	05/22/2003	O'Donnell et al.	702	19	10/12/2001
	9	2003/0187358 A1	10/02/2003	Okerlund et al.	600	443	03/15/2002
	10	2003/0220557 A1	11/27/2003	Cleary et al.	600	409	02/28/2003
	11	2004/0087850 A1	05/06/2004	Okerlund et al.	600	407	11/01/2002
	12	2004/0225328 A1	11/11/2004	Okerlund et al.	607	9	05/09/2003
	13	2004/0225212 A1	11/11/2004	Okerlund et al.	600	407	05/07/2003
	14	2004/0225331 A1	11/11/2004	Okerlund et al.	607	14	05/09/2003

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION Y / N
	15	EP 1182619 A2	27.02.2002	European Union			Y
	16	EP 1321101 A2	18.12.2002	European Union			Y
	17	WO 91/07726	30.05.1991	WO			Y
	18	WO 96/10949	18.04.1996	WO			Y

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Patents, etc.)

	19	PCT Search Report for PCT/US2004/020909
	20	F. H.M. Wittkamp et al.; "Loca Lisa - New Technique for Real-Time 3-Dimensional Localization of Regular Intracardiac Electrodes;" <i>Circulation</i> h; 1999; 99: 1312-1317.
	21	"Advanced Vessel Analysis" product description, [online] http://www.gehealthcare.com/us/en/ct/clin_app/products/aswessel.html [retrieved 12/01/2004]
	22	"CardilQ" product description, [online], http://egems.gehealthcare.com/geCommunity/Europe/flex_trial/awFlexTrial/aw3_1/eflextrial [retrieved 12/01/2004]

Examiner

Date considered

EXAMINER: Initial if citation considered, whether or not citation is in conformance with M.P.E.P. 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.